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TOTAL NUMBER OF PAGES INCLUDING LEAD SHEET: 5

DATE: October 3, 2007

RE: US Patent Application 10/527,729  
SAFETY MONITORING FOR A PEOPLE MOVER (Stripling et al.)  
Our File: OT-5075

I hereby certify that the following document (attached) is being facsimile transmitted to the U.S. Patent and Trademark Office at (571) 273-8300 on June 12, 2007, for filing in the above-referenced application:

- Reply Brief (4 pages).

  
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Ana R. Rivera**-NOTICE-**

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant: RALPH STRIPLING ET AL . )  
Serial No. 10/527,729 ) Group Art Unit: 3651  
Filed: March 14, 2005 ) Examiner: L. Nicholson III  
For: SAFETY MONITORING FOR A )  
PEOPLE MOVER )

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**REPLY BRIEF**

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**1. REAL PARTY IN INTEREST**

No additional comment.

**2. RELATED APPEALS AND INTERFERENCES**

No additional comment.

**3. STATUS OF CLAIMS**

No additional comment.

**4. STATUS OF AMENDMENTS**

No additional comment.

**5. SUMMARY OF INVENTION**

As explained in the Appeal Brief, Applicants' invention of Claim 1 is directed to a people mover that includes an endless tread belt (6) formed from several tread elements (4) connected to one another, which is driven by a drive unit about a first and second reversal point (22), and a side skirt (24) that moves along with the tread belt (6). The moving side skirt (24) includes (4) flange elements (28) jointed to the tread belt and bridge elements (30) connected movably relative to the flange elements (2). Further, the invention includes a sensor having a limited detection range perpendicular to a circulating direction of the side skirt (24), and a plurality of

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marking elements (34) arranged in a line on the side skirt (24) along the circulating direction and having a limited width perpendicular to the circulating direction.

Further to the summary provided in the Appeal Brief, the moving side skirt of the invention is an enhanced safety feature for the people mover. In conventional escalators, the side skirt is stationary and this results in a difference in motion between the treads or steps and the side skirt. By using a moving side skirt, the safety of the riding passenger is improved. However, even with people movers having a moving side skirt formed from flange elements and bridge elements there is still a risk of vandalism or damage that could result in one of the bridge or flange elements being misaligned or missing. Applicants' invention provides a simple solution to this problem by having a specific sensor that monitors marking elements on the bridge and flange elements. As a result, any misalignment or missing bridge or flange element is sensed and appropriate action taken to protect the safety of the riding passengers.

6. **GROUND OF REJECTION TO BE REVIEWED ON APPEAL**

No additional comment.

7. **ARGUMENT**

A. **Rejection under 35 U.S.C § 103(a) based on Kubota and Kotkata**

1. **Claims 1, 4, 10, and 11**

In addition to the arguments presented previously and in view of the Response to Argument in Examiner's Answer, Applicant submits the following additional points.

A key element of Claim 1 that is missing from Kubota and Kotkata is the "side skirt moving concurrently with the tread belt" and which comprises "flange elements joined to the tread belt" and "bridge elements connected movably relative to the flange elements". These elements are key features of the invention and the marking element works by being arranged in a line on the flange elements and bridge elements, while the sensor is arranged adjacent to the moving side skirt. This arrangement of the marking elements and sensor permits the detection of missing or misaligned flange elements and/or bridge elements.

Kubota, on the other hand, discloses a mechanism designed to accommodate wheelchairs on escalators. There is no disclosure or suggestion of a moving side skirt formed from flange

elements and bridge elements, there is no disclosure of a sensor, and there is no disclosure of marking elements.

The combination of elements (410-430, 512, 523, 811-831) referred to by the Examiner as the side skirt is the mechanism connecting the adjacent steps together to form the platform for the wheelchair. As shown clearly in figure 3, Kubota discloses a stationary side skirt (see the vertical elements on opposite sides of step 2, immediately adjacent reference numbers 901 and 902). There is no indication that the side skirt of Kubota is anything other than a conventional stationary side skirt and not a moving side skirt. Further still, there is no indication or suggestion that the side skirt of Kubota is formed from flange elements and bridge elements. As such, Kubota fails to disclose or suggest each and every element of the claimed invention.

Without the element of the moving skirt comprising flange elements and bridge elements, Kubota cannot disclose or suggest the marking elements arranged on the flange elements and bridge elements. Nor can Kubota suggest, teach or provide motivation to modify the structure of Kubota to include a marking element or sensor. Without the moving side skirt and associated flange elements and bridge elements, there is no motivation to provide the marking elements and sensor to detect misalignments or missing elements.

Accordingly, for the reasons above and in the Appeal Brief, this rejection is improper and Appellant respectfully requests that this rejection be reversed.

**2. Claim 2**

Claim 2 includes the same elements as claim 1 and thus, the rejection is contested for the same reasons as stated above and as in the Appeal Brief. Accordingly, this rejection is improper and Appellant respectfully requests that this rejection be reversed.

**3. Claim 3**

Claim 3 includes the same elements as claim 1 and thus, the rejection is contested for the same reasons as stated above and as in the Appeal Brief. Accordingly, this rejection is improper and Appellant respectfully requests that this rejection be reversed.

**4. Claim 5**

Claim 5 includes the same elements as claim 1 and thus, the rejection is contested for the same reasons as stated above and as in the Appeal Brief. Accordingly, this rejection is improper and Appellant respectfully requests that this rejection be reversed.

**5. Claim 9**

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Claim 9 includes the same elements as claim 1 and thus, the rejection is contested for the same reasons as stated above and as in the Appeal Brief. Accordingly, this rejection is improper and Appellant respectfully requests that this rejection be reversed.

**B. Conclusion**

For the reasons cited above, Appellant respectfully submits that this application is in condition for allowance and requests reversal of the outstanding rejections.

Respectfully submitted,

By: 

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October 3, 2007